

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

DONNA MARIE GENTRY

PLAINTIFF

V.

CIVIL ACTION NO. 2:16-cv-2102-MEF

NANCY A. BERRYHILL, Acting
Commissioner Social Security Administration¹

DEFENDANT

FINAL JUDGMENT

This cause is before the Court on the Plaintiff's complaint for judicial review of an unfavorable final decision of the Commissioner of the Social Security Administration denying her claim for disability benefits. The parties have consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c). The Court, having reviewed the administrative record, the briefs of the parties, the applicable law, and oral argument having been waived, finds as follows, to-wit:

Consistent with the Court's ruling from the bench, the decision of the Commissioner of Social Security is reversed and remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the ALJ is ordered to obtain an RFC assessment from treating psychologist, Dr. David Beare, complete with an explanation of how Plaintiff's somatoform disorder would affect both her physical and mental ability to perform work-related tasks. Further, the ALJ is

¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting Commissioner Carolyn W. Colvin as the defendant in this suit. No further action needs to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

directed to ask Dr. Beare to opine as to how long Plaintiff has been suffering from somatoform disorder.

IT IS SO ORDERED AND ADJUDGED on this the 25th day of April, 2017.

/s/ Mark E. Ford

HON. MARK E. FORD

UNITED STATES MAGISTRATE JUDGE